



Michigan Supreme Court
State Court Administrative Office
Trial Court Services Division
Michigan Hall of Justice
P.O. Box 30048
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March 2, 2007

TO: Chair: William C. Buhl, 36th Circuit Court
Zenell Brown, 3rd Circuit Court
Lynn Ann Bullard, VanBuren County
Janice K. Cunningham of Mallory, Cunningham, Lapka & Scott, PLLC
Dan Ellis, Office of Child Support
Dan Fojtik, Attorney, 17th Circuit Court
Kelly Morse, Office of Child Support
Johanna Peltier, Washtenaw County
Pam Sala, Oakland County

FROM: Amy L. Byrd, Forms and Records Manager

RE: Materials for March 22, 2007, Michigan Court Forms Committee Meeting

PLACE: State Court Administrative Office (Conference Room 5N-58) Lansing (map enclosed)

Below is the agenda for the March 22 meeting for the Friend of the Court Section of the Michigan Court Forms Committee. **The meeting starts at 10:00 a.m. and ends at 3:00 p.m.** Luncheon reservations have been made for you; if you cannot attend, please contact me at least 2 days before the meeting. Please note that we are located at 925 W. Ottawa. A map has been provided.

Although some documentation is provided with the agenda, it would be helpful to bring a copy of the statutes you believe are relevant and the Michigan Court Rules.

Notice of Minor Revisions

Form FOC 109 will be revised to correct the revision date on page 2.

1. FOC 6, Enforcement Order

There is a question about the difference between item 7 and item 23. Perhaps item 23 should be deleted. Also, is the language regarding bench warrant appropriate in item 15?

2. **FOC 10b and 10c, Uniform Spousal Support Orders**

Practitioners have indicated dissatisfaction with the statewide, uniform spousal support orders and want to draft their own orders. They were asked to submit alternative drafts for consideration. No drafts have been submitted.

3. **FOC 14, Bench Warrant**

The Committee suggested removing the field for driver's license number at its last meeting unless the information is used by local sheriffs. There was also a suggestion to remove the memorandum copy that is put in the file rather than the signed warrant. The Committee tabled both decisions to determine local practices.

4. **FOC 19, Motion and Order to Show Cause for Contempt (Custody/Parenting Time)**

Oakland County requests that both parties be required to appear at a contempt hearing for parenting time because the issue cannot be resolved without both parties in attendance.

5. **FOC 22b, Employment Status Disclosure**

It is suggested the last sentence of the instruction to the employer be revised because it is not entirely accurate. A draft is provided.

6. **Motion and Order to Take Minor Children Out of the Country**

Development of new forms has been requested for use by pro se litigants to temporarily take minor children out of the country. Drafts are provided.

7. **Request for Military Service Adjustment to Child Support Obligation**

Should a form be developed pursuant to 2006 PA 485, effective December 29, 2006.

8. **Date Field on Motions**

It has been suggested that the date field across from the signature line on motions is unnecessary and could be removed. There is no statutory or court rule requirement that a motion be dated when it is signed. Service is based on the hearing date on the motion and not the date of signing. Is there any benefit to removing the date field, and if so, from which motions?

9. **Parenting Time Motion and Order to Allow Parent to a Custody Proceeding to Request Specific Parenting Time**

Attached is an email from Dan Diebolt requesting development of a motion form for specific parenting time. Current forms containing this information are attached.

10. Makeup Parenting Time

Attached is an email from Doug Dante requesting development of a form to request makeup parenting time. Current forms containing this information are attached.

Attachments

cc: Nial Raaen, Director, Trial Court Services
Anne Boomer, Supreme Court
Steven D. Capps, Friend of the Court Bureau
Dawn Childress, Trial Court Services
Sally LaCross, Supreme Court
Angel Sorrells, Friend of the Court Bureau
Regional Administrators